

30232. Oats. (F.D.C. No. 51180. S. Nos. 28-819 B, 29-679 B.)

QUANTITY: 90,000 lbs. at Minneapolis, Minn.

SHIPPED: 4-13-65, from Woods, N. Dak., by Woods Farmers Cooperative Elevator Co.

LIBELED: 5-5-65, Dist. Minn.

CHARGE: 402(a)(2)(B)—when shipped, the article was a raw agricultural commodity and contained a pesticide chemical, a mercurial compound, which was unsafe within the meaning of 408(a) since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on oats had been prescribed by regulations.

DISPOSITION: 5-14-65. Consent—claimed by Woods Farmers Cooperative Elevator Co., Woods, N. Dak. Reconditioned; 5,300 lbs. destroyed.

30233. Unpopped popcorn. (F.D.C. No. 50998. S. No. 22-303 B.)

QUANTITY: 79 bales, each containing 4 unlabeled 12½-lb. cello bags, and 17 unlabeled 12½-lb. cello bags, at Seagoville, Tex., in possession of Gibson Products, Inc.

SHIPPED: 12-4-64, from Kansas City, Mo.

LIBELED: 2-3-65. N. Dist. Tex.

CHARGE: 402(a)(3)—contained rodent excreta pellets, rodent hair, and was rodent gnawed; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 4-15-65. Consent—claimed by Gibson Products Co., Seagoville, Tex. Segregated and reconditioned; 638 lbs. denatured.

30234. Unpopped popcorn. (F.D.C. No. 51194. S. No. 128-543 B.)

QUANTITY: 100 cases, of 12 2-lb. bags, at Little Rock, Ark.

SHIPPED: 4-7-65, from Milford, Ill., by Alver Bros. Co.

LABEL IN PART: (Bag) "Buddy Boy Yellow Hybrid Popcorn * * * Alver Brothers Company—Milford, Ill."

LIBELED: 5-19-65, E. Dist. Ark.

CHARGE: 402(a)(3)—contained bird excreta and rodent-gnawed kernels; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 6-16-65. Default—delivered to a charitable institution for use as animal feed.

30235. Rice. (F.D.C. No. 51550. S. No. 62-011 B.)

QUANTITY: 73 25-lb. bags at Hagerstown, Md.

SHIPPED: 5-10-65, from Stuttgart, Ark.

LIBELED: 8-10-65, Dist. Md.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 9-9-65. Default—destruction.

30236. Rice. (F.D.C. No. 51014. S. No. 36-582 B.)

QUANTITY: 119 25-lb. bags, at Perth Amboy, N.J., in possession of Flagstaff Food Corp.

SHIPPED: Between 10-16-64 and 12-4-64, from New York, N.Y.

LIBELED: 2-18-65, Dist. N.J.

CHARGE: 402(a)(4)—held under insanitary conditions.

DISPOSITION: 3-25-65. Consent—claimed by Flagstaff Food Corp. Segregated; 175 lbs. destroyed.

30237. Rolled oats, macaroni, elbow macaroni, pinto beans, sugar, and potatoes.
(F.D.C. No. 50462. S. Nos. 15-953 X, 15-956/7 X, 30-312 A, 30-314/15 A.)

INFORMATION FILED: 9-22-64, E. Dist. Tenn., against Smotherman-Womack Co., Inc., Tullahoma, Tenn.

ALLEGED VIOLATION: Between 1-16-63 and 1-30-64, while quantities of rolled oats, macaroni, elbow macaroni, pinto beans, sugar, and potatoes were being held for sale after shipment in interstate commerce, the defendants caused the articles to be held in a building that was accessible to insects and rodents and to be exposed to contamination by insects and rodents, which acts resulted in the articles being adulterated.

CHARGE: 402(a)(3)—contained insects, insect larvae, cast skins, and rodent and mouse pellets; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 2-1-65. \$600 fine.

30238. Donut mix. (F.D.C. No. 51039. S. No. 14-924 A.)

INFORMATION FILED: 4-28-65, Dist. Conn., against Berkshire Bakers, Inc., Bridgeport, Conn., and Raymond T. Iwanicki, president and treasurer.

ALLEGED VIOLATIONS: Between 9-12-63 and 9-3-64, while quantities of donut mix were being held for sale after shipment in interstate commerce, the defendants caused the article to be held in a building that was accessible to rodents and to be exposed to contamination by rodents, which act resulted in the article being adulterated.

CHARGE: 402(a)(3)—was rodent gnawed and contained rodent excreta; and 402(a)(4)—held under insanitary conditions.

PLEA: Nolo contendere.

DISPOSITION: 7-19-65. Corporation—\$1,000 fine; individual—probation for 2 years.

30239. Cornmeal mix and flour. (F.D.C. No. 50971. S. Nos. 114-182/3 A.)

QUANTITY: 175 25-lb. bags of cornmeal mix and 168 bales of 2 25-lb. bags each of flour at Huntington, W. Va., in possession of Davis Wholesale Co., Inc.

SHIPPED: 10-30-64 and 12-7-64, from Hopkinsville and Louisville, Ky.

LIBELED: 1-11-65, S. Dist. W. Va.

CHARGE: 402(a)(3)—the articles were rodent gnawed, and the cornmeal contained rodent excreta pellets; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 3-30-65. Consent—claimed by Davis Wholesale Co., Inc. Reconditioned; 129 bags of cornmeal mix denatured and 147 bags of flour denatured; 46 bags of cornmeal mix and 43 bags of flour destroyed.

30240. Cornmeal mix. (F.D.C. No. 50977. S. No. 114-184 A.)

QUANTITY: 187 bales, each containing 10 5-lb. bags, at Huntington, W. Va., in possession of Davis Wholesale Co., Inc.

SHIPPED: 11-23-64 and 12-7-64, from Hopkinsville, Ky.